

Appl. No. 10/773505
Reply to Office action of 2/2/2006
Page 5

REMARKS

Claims 1, 7 and 9 have been amended. Claims 2 and 3 have been canceled. Claim 1 and 4-10 remain pending. Reconsideration and reexamination of the application are requested.

The Examiner rejected claims 1, 2, 4, 5, 7, 9, and 10 under 35 USC 102(b) as being anticipated Patton.

Claim 3 was indicated to be allowable. The limitations of claims 2 and 3 have been amended into claim 1. It is submitted that the rejection of claim 1 is moot.

Minor clarifying amendments have been made to claim 7. Applicant traverses the anticipation rejection. The implement of claim 7 requires a pivoting assembly which includes "a hydraulic cylinder connected between said tow bar assembly and said working assembly to pivot said frame with respect to said tow bar assembly". Applicant reasserts the argument made in the amendment of December 13, 2005, and requests reconsideration. Patton discloses at column 3, lines 49-56 that the three point hitch is operated by hydraulic action, and discloses in Figs. 5-8 a turnbuckle 96 "connected between the tractor and a pair of brackets 98 mounted at the upper end of frame member 66". See column 3, lines 61-64. Patton, however, does not disclose a hydraulic cylinder connected between the tow bar assembly and the working assembly for the purpose of pivoting the frame with respect to the tow bar assembly. The turnbuckle connected to the tractor, even if it were an hydraulic cylinder, is not the structure required by claim 7. The hydraulic operation of the three point hitch is not the structure of claim 7. There is no disclosure in Patton of a hydraulic cylinder connected between the tow bar assembly and the working assembly to pivot the frame with respect to the tow bar assembly. Hence, claim 7 is not anticipated by Patton and is patentable thereover.

Applicant acknowledges the Examiner's indication that claim 8 is allowable.

Claim 9 has been amended similar to the amendment of claim 1, except the hydraulic cylinder is not mentioned. Rather, it is the inclining means which includes the pivoting piston brace, the pivoting cylinder brace, and the pivoting portion connecting the pivoting piston brace and the pivoting cylinder brace such that the inclining means is

Appl. No. 10/773505
Reply in Office action of 2/2/2006
Page 6

operable to pivot the pivoting piston brace and the pivoting cylinder brace with respect to one another. Patton does not disclose these elements. Hence, claim 9 and claim 10 which depends from claim 9 are not anticipated and are patentable.

The Examiner rejected claim 6 under 35 USC 103(a) as being obvious on consideration of Patton in view of Javerlhac. Claim 6 depends from claim 4 which depends from claim 1. Consequently, claim 6 is patentable. Applicant does not acquiesce in the independent rejection of claim 6, but further distinction of it at this time is not needed.

In view of the above, it is submitted that the application is in condition for allowance. Since only allowable elements have been amended into the claims, it is submitted that new issues have not been introduced. Reconsideration is requested. Allowance of the application, at an early date is solicited.

Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165 at (612) 455-3802.

Respectfully submitted,



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By:

A handwritten signature in cursive script that reads "Curtis B. Hamre".

Curtis B. Hamre
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CBH/lad